

## **IC 36-12-9**

### **Chapter 9. Powers and Duties of Library Services Authorities**

## **IC 36-12-9-1**

### **Application of chapter**

Sec. 1. This chapter applies to library services authorities established under IC 36-12-8.

*As added by P.L.1-2005, SEC.49.*

## **IC 36-12-9-2**

### **Municipal powers; exception**

Sec. 2. A library services authority is a municipal corporation and may exercise any powers, privileges, or authority exercised or capable of being exercised by a public agency of the state, except that of levying taxes.

*As added by P.L.1-2005, SEC.49.*

## **IC 36-12-9-3**

### **Actions; standing**

Sec. 3. A library services authority may sue and be sued, and plead and be impleaded.

*As added by P.L.1-2005, SEC.49.*

## **IC 36-12-9-4**

### **Provision of library services and facilities**

Sec. 4. A library services authority may establish, manage, maintain, and operate the library facilities and provide the library services specified in the joint agreement creating the library services authority.

*As added by P.L.1-2005, SEC.49.*

## **IC 36-12-9-5**

### **Chief administrative officer; other employees; reimbursement of interviewing and moving expenses**

Sec. 5. (a) A library services authority may:

(1) employ and delegate duties and responsibilities to a chief administrative officer and other employees that may be necessary for the performance of the authority's functions, or provide for a chief administrative officer or other employees by contract with:

- (A) a library participant of the authority;
- (B) another organization, institution, or company;
- (C) an agency of government; or
- (D) an individual;

(2) fix and pay the compensation of the employees;

(3) determine the number and duties of the employees; and

(4) remove or discharge employees.

(b) In exercising the powers under subsection (a)(1), the board of directors of the library services authority may reimburse:

(1) candidates for employment for expenses reasonably incurred

while interviewing; and

(2) new employees for reasonable moving expenses.

If the board of directors exercises authority under this subsection, the board shall establish reasonable levels of reimbursement for the purposes of this subsection.

*As added by P.L.1-2005, SEC.49.*

#### **IC 36-12-9-6**

##### **Purchases**

Sec. 6. A library services authority may purchase supplies, materials, and equipment to carry out the powers and duties of the board of directors.

*As added by P.L.1-2005, SEC.49.*

#### **IC 36-12-9-7**

##### **Real and personal property**

Sec. 7. A library services authority may acquire and hold property, real or personal, by purchase, devise, lease, gift, or otherwise, and sell, exchange, or otherwise dispose of property, real or personal, no longer needed for purposes of the authority.

*As added by P.L.1-2005, SEC.49.*

#### **IC 36-12-9-8**

##### **Budget; adoption; contract for pro rata charges**

Sec. 8. (a) The executive committee of the library services authority shall prepare and adopt a budget annually for the operating expenditures of the library services authority and shall calculate the share of the budget to be charged to each participant in the authority according to the pro rata formula in rules adopted by the board of directors. The budget shall be submitted to the board of directors for adoption. After adoption of the budget by the board, the board shall submit a contract with the appropriate pro rata charges to each participant at least three (3) months before the fiscal year for which the budget of the participant is to be adopted.

(b) Each participant in the library services authority that signs a contract for pro rata charges in the ensuing fiscal year shall:

(1) include the charges in the participant's budget for the ensuing fiscal year; and

(2) provide the necessary funds with which to pay the contractual obligations under the participant's contract with the library services authority.

*As added by P.L.1-2005, SEC.49.*

#### **IC 36-12-9-9**

##### **Funds; surety bonds; deposit; investment; records**

Sec. 9. (a) The library services authority shall deposit, hold, and expend all funds coming into the possession of the library services authority in accordance with IC 5-11.

(b) An officer or employee of the library services authority who is authorized to receive or disburse or in any other way handle funds

and securities of the authority shall give a corporate surety bond, in an amount specified in the rules, for the faithful performance of the duties of the officer or employee and the proper accounting of all money and other property that may be under the control of the officer or employee. The cost of the bond, including the cost of filing and recording, shall be paid out of funds of the library services authority.

(c) A library services authority may invest excess funds:

- (1) in securities lawfully issued by any municipal corporation;  
or
- (2) in accordance with IC 5-13-9.

However, deposits may not be made in excess of the amount of insurance protection afforded a participant or investor of any of these institutions.

(d) A library services authority may establish any special funds that may be necessary for the purpose of accumulating sufficient money over two (2) or more fiscal years for:

- (1) the purchase of specified real property or major equipment;
- (2) making improvements to real property owned by the library services authority; or
- (3) providing fee based services to members.

Each special fund must be established for a specific purpose and named for that purpose. Any funds accumulated but not expended under this subsection may be transferred and expended for any other legitimate purpose of the authority.

(e) The records of a library services authority are public records. All funds received, unless specifically excluded, are the property of the library services authority receiving them.

*As added by P.L.1-2005, SEC.49.*

### **IC 36-12-9-10**

#### **Employee benefits programs; expenditures**

Sec. 10. A library services authority may establish and maintain or participate in programs of employee benefits, which may include the lawful disbursement of funds for expenses related to the educational or professional development of an individual employed by the library services authority, including:

- (1) inservice training;
- (2) attending seminars or other special courses of instruction;  
and
- (3) tuition reimbursement;

if the library services authority determines that the expenditures under this section directly benefit the operation of the library facilities or the provision of library services.

*As added by P.L.1-2005, SEC.49.*

### **IC 36-12-9-11**

#### **Reports to participants**

Sec. 11. A library services authority may report annually to each participant in the authority on the budget and expenditures, services rendered, program, plans for development, and any other information

that may be appropriate.  
*As added by P.L.1-2005, SEC.49.*

#### **IC 36-12-9-12**

##### **Contracts**

Sec. 12. A library services authority may enter into all contracts and agreements necessary to the performance of the authority's duties and the execution of the library services authority's powers under this chapter.

*As added by P.L.1-2005, SEC.49.*

#### **IC 36-12-9-13**

##### **Rates and charges; prepayment**

Sec. 13. A library services authority may:

- (1) establish and collect reasonable rates and charges for services rendered to the participants in the authority or others using the services of the authority; and
- (2) require participants in the authority or others using the services of the authority to make prepayments for certain services.

*As added by P.L.1-2005, SEC.49.*

#### **IC 36-12-9-14**

##### **Participation in certain associations**

Sec. 14. A library services authority may join and participate in, through designated employees or representatives, the meetings and activities of state and national associations of a civic, educational, professional, or governmental nature that have as their purpose the betterment and improvement of library operations.

*As added by P.L.1-2005, SEC.49.*

#### **IC 36-12-9-15**

##### **Tax exemption**

Sec. 15. All property owned by the library services authority and all revenues received by the authority are exempt from taxation for all purposes.

*As added by P.L.1-2005, SEC.49.*